



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: LaFleur et al.

Attorney Docket No.: PF482P1

Application Serial No.: 09/487,792

Art Unit: 1647

Filed: January 20, 2000

Examiner: Seharaseyon, J.

Title: Keratinocyte Derived Interferon

RESPONSE TO PAPER NO. 15 UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 23, 2001, (Paper No. 15), please consider the following amendments and remarks. Applicants submit herewith the following:

(a) a Third Supplemental Information Disclosure Statement and Form PTO/SB/08A with references AC-AG; (b) a Fee Transmittal Sheet and (c) Exhibits A-C.

Remarks

Claims 41-177 are pending in the instant application.

Rejections Under 35 U.S.C. § 101 and § 112

The Examiner rejects claims 41-177 under 35 U.S.C. § 101 because the claimed invention allegedly is not supported by either a specific and substantial asserted utility or a well established utility.

More specifically, the Examiner contends:

The instant claims are drawn to a polypeptide of SEQ ID NO:2 representing keratinocyte derived interferon (KDI), however as of yet not shown to have its own identity by way of demonstrated biological effects or functions.

Further, the Examiner also contends that:

[U]ntil some actual and specific significance can be attributed to the polypeptide variants contemplated, the instant invention is incomplete. All of the envisioned polypeptide variants, portions of the polypeptides, fragments are based on the knowledge from the conserved domains of the other interferon molecules, and not

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